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Attorney for Defendant
GILBERTO LIZARRAGA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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|---------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA, |) | Case No. 07cr2899 LAB (JMA) |
| |) | |
| Plaintiff, |) | JOINT MOTION TO CONTINUE |
| |) | SENTENCING HEARING |
| v. |) | |
| |) | |
| GILBERTO LIZARRAGA, |) | |
| |) | |
| Defendant. |) | |

IT IS HEREBY REQUESTED by the parties in the case, Plaintiff, United States of America, by and through its counsel, Karen P. Hewitt, United States Attorney, and Timothy F. Salel, Assistant United States Attorney, and the Defendant, Gilberto Lizarraga, by and through his counsel, Kurt David Hermansen, that the sentencing hearing in the above entitled case originally scheduled for January 28, 2008 at 9:30 a.m. and currently set for March 31, 2008 at 9:30 a.m. be continued to April 28, 2008 at 9:30 a.m. for Mr. Lizarraga.

The parties agree that the time between January 28, 2008 and April 28, 2008 is excludable under the Speedy Trial Act until acceptance of plea.

1 The undersigned defense attorney for Mr. Lizarraga called the court's courtroom deputy
2 to obtain the new date and that date is agreeable to both parties. A proposed order with respect
3 to this joint motion is being submitted directly to the court via efile_burns@casd.uscourts.gov.

4 Defendant Lizarraga is out of custody on bond. An acknowledgment of the next court
5 date will be filed.

6
7 Respectfully submitted,

8 Dated: January 7, 2008

s/Kurt David Hermansen

9 Attorney for Defendant Gilberto Lizarraga
10 Email: KDH@KurtDavidHermansen.com

11 Dated: January 7, 2008

s/Timothy F. Salel

12 Assistant United States Attorney
13 Email: Timothy.Salel@usdoj.gov
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Case No. 07cr2899 LAB (JMA)
Plaintiff,) CERTIFICATE OF SERVICE
v.)
GILBERTO LIZARRAGA,)
Defendant.)

IT IS HEREBY CERTIFIED THAT:

I, KURT DAVID HERMANSEN, am a citizen of the United States and am at least eighteen years of age. My business address is 110 West C Street, Suite 1810, San Diego, California 92101.

I have caused service of **JOINT MOTION TO CONTINUE SENTENCING HEARING** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

U S Attorney CR
Efile.dkt.gc2@usdoj.gov

Kurt David Hermansen
KDH@KurtDavidHermansen.com

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 7, 2008

s/Kurt David Hermansen

Attorney for Defendant Gilberto Lizarraga
Email: KDH@KurtDavidHermansen.com